

U.S. Department of Justice



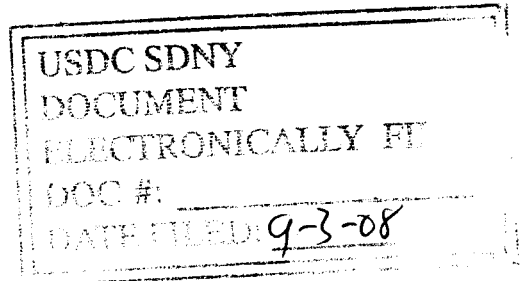
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 2, 2008

BY HAND AND FACSIMILE
212-805-6390

The Honorable William H. Pauley III
United States District Court
for the Southern District of New York
United States Courthouse
New York, New York 10007



Re: United States v. David Carmel
07 Cr. 537 (WHP)

Dear Judge Pauley:

RECEIVED

The Government respectfully submits this letter to request an adjournment of the conference in the above-referenced matter, presently scheduled for September 3, 2008, to a time during the week of September 22, 2008. As discussed with the Court's deputy, the Government is making this request because Assistant United States Attorney Rosemary Nidiry, who is responsible for handling this matter, has unexpectedly had to take leave because of a personal matter.

I have spoken to Donald Yanella, Esq., counsel for the defendant. He consents to the Government's request for an adjournment. Mr. Yanella is available to appear during the week of September 22, other than two times: he has other court appearances scheduled for Thursday, September 25, at 2:45 p.m., and Friday, September 26, at 10 a.m.

The Government further requests that time be excluded under the Speedy Trial Act under 18 U.S.C. §§ 3161(h)(8)(A) & 3161(h)(8)(B).

We thank you in advance for your consideration of this

request.

Respectfully submitted,


MICHAEL J. GARCIA
United States Attorney



By: _____
Marcus A. Asner
Chief, Major Crimes Unit
(212) 637-2483

Copy to: Donald Vanella, Esq.
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212-226-2883

APPLICATION GRANTED. THE ARGUMENT
SO ORDERED: IS ADJOURNED TO SEPTEMBER
24, 2008 AT 2:30 P.M. IN
THE INTERESTS
OF JUSTICE.
9-2-08



WILLIAM H. PAULEY III U.S.D.J.